

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 2756 - HB 3072**

February 28, 2012

**SUMMARY OF BILL:** Permits the disclosure of confidential mental health records if the records are more than 70 years old.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

**Assumptions:**

- Pursuant to Tenn. Code Ann. §10-7-504 (c), disclosure of the mental health records will not be permitted if disclosure is specifically prohibited or restricted by federal law.
- According to the Department of Mental Health (DMH), the Health Insurance Portability and Accountability Act (HIPAA) and substance abuse confidentiality statutes and rules will prohibit the disclosure of mental health records to the public, even after a period of 70 years.
- According to DMH, most state health records will have been destroyed in accordance with the records disposition authority, which allows medical records to be disposed of 10 years following the last discharge of a patient from a regional mental health institute.
- Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/kml

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